

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request of)
Steven McCargar for an) Case No. 10-2849-TR-CVF
Administrative Hearing.) (OH3255007322D)

ENTRY

The attorney examiner finds:


- (1) By entry issued on March 15, 2011, this matter was set for hearing on April 11, 2011. Staff subsequently informed the attorney examiner that one of its witnesses would not be available on that date.
- (2) Accordingly, the attorney examiner finds that the hearing in this matter should be rescheduled for April 15, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11D, Columbus, Ohio 43215-3793.
- (3) Rule 4901:2-7-14(A), O.A.C., provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding shall be in default. The rule additionally states that a respondent in default shall be deemed to have admitted the occurrence of the violation and waived all further right to contest liability to the state for the forfeiture described in the notice.
- (4) At the hearing, staff must prove, by the preponderance of the evidence, that respondent committed the alleged violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That the hearing in this matter should be rescheduled for April 15, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11D, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That, a copy of this entry be served upon all parties of record.

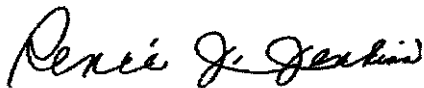
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner

JRF/sc

Entered in the Journal

MAR 16 2011


Renee J. Jenkins

Renee J. Jenkins
Secretary